

**2890.4600 RIGHT TO APPEAL.**

Subpart 1. **Appeal from determination of commissioner of commerce.** An applicant for reimbursement may appeal to the board a reimbursement determination made by the commissioner of commerce under authority delegated by the board according to Minnesota Statutes, section 115C.09, subdivision 10, by submitting a written notice setting forth the specific basis for the appeal. The applicant for reimbursement must file written notice with the board of an appeal of a reimbursement determination made by the commissioner of commerce within 60 days of the date that the commissioner of commerce sends written notice to the applicant of the reimbursement determination. The written notice must set forth the specific basis for the appeal.

Subp. 2. **Appeal from decision of the board.**

A. An applicant for reimbursement may appeal a reimbursement determination of the board as a contested case under Minnesota Statutes, chapter 14. An applicant for reimbursement must provide written notification to the board of a request for a contested case, setting forth the specific basis for the appeal, within 30 days of the date that the board makes a reimbursement determination. On appeal, the Office of Administrative Hearings must determine whether the evidence submitted to the board entitles the applicant to reimbursement and whether the board's determination is otherwise consistent with or contrary to law.

B. This subpart applies to reimbursement determinations made by the board as a result of an appeal to the board under subpart 1 and reimbursement determinations made by the board when the board has not delegated its authority to make reimbursement determinations.

C. An appeal of a reimbursement determination may only be made by an applicant as defined by Minnesota Statutes, chapter 115C.

**Statutory Authority:** *MS s 115C.07*

**History:** *12 SR 2142; 15 SR 2266; 18 SR 1471; 28 SR 383*

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